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United States of America  
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IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 GILBERTO ARTEAGA ET AL.,  
15 Defendants.

CASE NO. 1:23-CR-00149-JLT-SKO  
STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
ORDER  
DATE: 10/18/2023  
TIME: 1:00 p.m.  
COURT: Hon. Sheila K. Oberto

16  
17 BACKGROUND

18 Plaintiff United States of America, by and through its counsel of record, and defendants, by and  
19 through defendants' counsel of record, hereby stipulate as follows:

20 1. By previous order, this matter was set for status conference on 10/18/2023.  
21 2. By this stipulation, defendants now move to continue the status conference until  
22 1/17/2024, and to exclude time between 10/18/2023, and 1/17/2024, under 18 U.S.C. § 3161(h)(7)(A), B  
23 (i), (iv).  
24 3. The parties agree and stipulate, and request that the Court find the following:  
25 a) The government has represented that the discovery associated with this case  
includes cellphone extractions, investigative reports, and various media evidence. These  
26 materials have been produced to the defense and/or made available for inspection and copying.  
27 b) Counsel for defendants desire additional time consult with their clients, review the

voluminous discovery, conduct independent investigation, and pursue a potential pretrial resolution of the case.

- c) The government plans to make plea offers before the next status conference.
- d) Counsel for defendants believe that failure to grant the above-requested continuance would deny him/her the reasonable time necessary for effective preparation, taking count the exercise of due diligence.
- e) The government does not object to the continuance.
- f) Based on the above-stated findings, the ends of justice served by continuing the requested outweigh the interest of the public and the defendant in a trial within the al date prescribed by the Speedy Trial Act.
- g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, , within which trial must commence, the time period of 10/18/2023 to 1/17/2024, ve, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(i) and (iv) because to grant the continuance would deny the defendant reasonable time to obtain counsel, unreasonably deny the defendant or the Government continuity of counsel, or would deny el for the defendant or the attorney for the Government the reasonable time necessary for ve preparation, taking into account the exercise of due diligence.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: September 29, 2023

PHILLIP A. TALBERT  
United States Attorney

/s/ JUSTIN J. GILIO  
JUSTIN J. GILIO  
Assistant United States Attorney

1 Dated: September 29, 2023

/s/ Miles Harris

Miles Harris  
Counsel for Defendant  
Gilberto Arteaga

4 Dated: September 29, 2023

/s/ Melissa Baloian

Melissa Baloian  
Counsel for Defendant  
Juan Castro

7 Dated: September 29, 2023

/s/ Michael G. McKneely

Michael G. McKneely  
Counsel for Defendant  
Shannon Calhoun

10 Dated: September 29, 2023

/s/ Richard A. Beshwate

Richard A. Beshwate  
Counsel for Defendant  
Richard Garcia

14 ORDER

15 IT IS SO ORDERED.

16 DATED: 10/12/2023

*Sheila K. Oberto*

17 THE HONORABLE SHEILA K. OBERTO  
18 UNITED STATES MAGISTRATE JUDGE